

Message Text

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FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 235334 TOSEC 270583

EXDIS

E.O. 11652: GDS

TAGS: SHUM

SUBJECT: ACTION MEMORANDUM: HUMAN RIGHTS

(S/S NO. 7619881)

REF: TOSEC 270441

FOR THE SECRETARY THROUGH ROBINSON FROM D/HA - WILSON

1. THE PROBLEM

IN ADDITION TO THE HUMPHREY REQUEST COVERED IN TOSEC 270441, DOC MORGAN HAS NOW MADE A FORMAL REQUEST UNDER THE NEW SECURITY ASSISTANCE ACT FOR "STATEMENTS" REGARDING HUMAN RIGHTS IN ARGENTINA, HAITI AND PERU. WE ARE ALSO ADVISED THAT A FURTHER REQUEST WILL BE MADE SHORTLY ON THE PHILIPPINES.

2. BACKGROUND

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YOU WILL RECALL THAT THESE FORMAL "STATEMENTS" MUST BE

PROVIDED CONGRESS WITHIN THIRTY DAYS OF THE DATE THE REQUEST IS RECEIVED OR NO FURTHER DELIVERIES OF ASSISTANCE MAY BE MADE TO THE COUNTRIES IN QUESTION UNTIL THE STATEMENTS ARE PRODUCED. THE STATEMENTS MUST COVER:

-- DETAILED INFORMATION ON THE STATUS OF HUMAN RIGHTS IN

THAT COUNTRY AND TO DISCOURAGE, CALL ATTENTION TO AND DISSOCIATE THE USG FROM ANY HOST GOVERNMENT PRACTICES INIMICAL TO HUMAN RIGHTS OBSERVANCE.

-- THE OPINION OF THE SECRETARY OF STATE ON WHETHER EXTRAORDINARY CIRCUMSTANCES (WHICH MUST BE DESCRIBED) WARRANT A CONTINUATION OF SECURITY ASSISTANCE IN WHOLE OR IN PART AND WHETHER IN THE LIGHT OF ALL THE FACTS SUCH A CONTINUATION IS IN THE NATIONAL INTEREST.

AFTER A STATEMENT IS SUBMITTED CONGRESS MAY AT ANY TIME ENACT A JOINT RESOLUTION TERMINATING, RESTRICTING OR CONTINUING SECURITY ASSISTANCE TO THE COUNTRY CONCERNED.

THE STATEMENTS CAN, OF COURSE, BE SENT UP IN CLASSIFIED FORM. THERE IS NO GUARANTEE, HOWEVER, THAT THEY WILL NOT LEAK; AND THE DAMAGE FROM SUCH LEAKAGE WOULD BE VERY GREAT, IN VIEW OF THE EXPRESSION OF EXECUTIVE BRANCH OPINION WHICH MUST BE INCLUDED.

3. DISCUSSION

WE HAD HOPED TO FORESTALL ANY REQUESTS LIKE THESE BY BEING FORTHCOMING TO A DEGREE WITH HUMPHREY, WITH THE HOUSE TO FOLLOW. BUT FRASER HAS JUMPED THE GUN. IT MAY STILL BE POSSIBLE TO TALK DOC MORGAN INTO WITHDRAWING HIS REQUEST--OR AT LEAST NOT TO SEND US ANY MORE REQUESTS UNDER THIS FORMAL PROCEDURE--IF WE CAN PROVIDE HIM THE SAME KIND OF INFORMATION WE PROPOSED THAT YOU APPROVE FOR HUMPHREY IN TOSEC 270441, I.E., GET HIM TO LIMIT HIS REQUEST TO THE MORE GENERAL AND POTENTIALLY LESS DAMAGING INFORMATION

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SOUGHT BY HUMPHREY. WITHOUT SOMETHING LIKE THIS, FRASER CAN CONTINUE TO DEMAND STATEMENTS ON EVERY COUNTRY ON OUR ASSISTANCE LIST PRIOR TO THE CONGRESSIONAL PRESENTATION NEXT SPRING. THE HOUSE ACTION THUS ADDS NEW URGENCY TO A DECISION ON THE HUMPHREY REQUEST.

4. RECOMMENDATION

THAT YOU AUTHORIZE US TO TALK TO MORGAN IN AN EFFORT,
FIRST, TO SECURE A WITHDRAWAL OF HIS REQUEST OR,
FAILING THIS, TO OBTAIN HIS AGREEMENT NOT TO SEND
ANY MORE REQUESTS, OFFERING IN RETURN TO PROVIDE
INFORMATION TO THE HOUSE SUBCOMMITTEE ON THE SAME BASIS
RECOMMENDED IN TOSEC 270441 FOR THE HUMPHREY SUBCOMMITTEE.

APPROVE DISAPPROVE.

DRAFTED BY: D/HA:JMWILSON

CLEARANCES: P - MR. HABIB T - MR. JORDAN

H - MR. JENKINS S-

APPROVED BY: D - MR. ROBINSON HABIB

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